

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:19-CV-00631-KDB-DCK**

THE PARADIES SHOPS, LLC,

Plaintiff,

v.

BROOKSTONE CHARLOTTE, LLC,

Defendant.

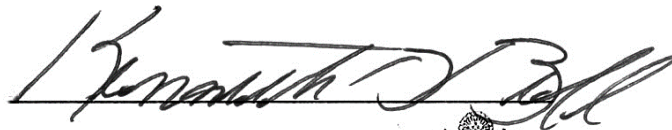
ORDER

This matter is before the Court to resolve the parties' ongoing dispute concerning the production of the Asset Purchase Agreement ("APA") dated October 8, 2019 among Intervenor Hudson Group (HG) Retail, LLC ("Hudson"); Apex Digital Inc.; Apex Airport Stores; and Apex Operating Inc. as reflected in the parties' arguments at the hearing in this matter on December 9, 2019 and in their recent communications to the Court. *See* Doc. No. 48.

Having carefully reviewed the APA and considered the parties' arguments, the Court finds that the APA is well within the broad scope of relevant discovery permitted by Rule 26 (b)(1) of the Federal Rules of Civil Procedure and must be produced by Hudson to Plaintiff The Paradies Shops, LLC ("Paradies"). However, with the agreement of the parties, the Court will order that the document be produced for "Attorneys' Eyes Only." Also, Hudson may, for the purpose of this initial production of the document, redact the financial terms of the purchase (i.e. the purchase price) and other specific financial information it contends is confidential, but must otherwise produce the full document. Paradies will have the opportunity to seek an unredacted version of the document if it chooses to do so as the case proceeds.

THEREFORE, IT IS HEREBY ORDERED THAT Hudson produce the APA, with the redactions permitted above, to Paradies' counsel prior to 5 p.m. on December 13, 2019. Paradies shall limit its disclosure of the document to "Attorneys' Eyes Only," as that term is commonly understood in the context of the production of documents in discovery, including, but not limited to, its attorneys of record as well as other professional members of their firm and the firm's staff.

Signed: December 11, 2019

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

